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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14 **BRAND LITTLE and ROBIN BURNS,**
15 Individually and on Behalf of All Others
16 Similarly Situated,

17 Plaintiffs,

18 v.

19 **PACIFIC SEAFOOD PROCUREMENT,**
20 **LLC; PACIFIC SEAFOOD PROCESSING,**
21 **LLC; PACIFIC SEAFOOD FLEET, LLC;**
22 **PACIFIC SEAFOOD DISTRIBUTION,**
23 **LLC; PACIFIC SEAFOOD USA, LLC;**
24 **DULCICH, INC.; PACIFIC SEAFOOD –**
25 **EUREKA, LLC; PACIFIC SEAFOOD –**
26 **CHARLESTON, LLC; PACIFIC**
27 **SEAFOOD – WARRENTON, LLC;**
28 **PACIFIC SEAFOOD – NEWPORT, LLC;**
PACIFIC SEAFOOD – BROOKINGS,
LLC; PACIFIC SEAFOOD – WESTPORT,
LLC; PACIFIC SURIMI – NEWPORT
LLC; BLUE RIVER SEAFOOD, INC.;
SAFE COAST SEAFOODS, LLC; SAFE
COAST SEAFOODS WASHINGTON,
LLC; OCEAN GOLD SEAFOODS, INC.;
NOR-CAL SEAFOOD, INC.; KEVIN LEE;
AMERICAN SEAFOOD EXP, INC.;
CALIFORNIA SHELLFISH COMPANY,

Case No. 3:23-cv-01098-AGT

**JOINT CASE MANAGEMENT
STATEMENT**

Date: September 5, 2025
Time: 2:00 p.m.
Dept: Courtroom A, 5th Floor
Judge: Hon. Alex G. Tse

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**INC.; ROBERT BUGATTO
ENTERPRISES, INC.; ALASKA ICE
SEAFOODS, INC.; LONG FISHERIES,
INC.; CAITO FISHERIES, INC.; CAITO
FISHERIES, LLC; SOUTHWIND FOODS,
LLC; FISHERMEN'S CATCH, INC.;
GLOBAL QUALITY FOODS, INC.;
GLOBAL QUALITY SEAFOOD LLC;
OCEAN KING FISH INC.; BORNSTEIN
SEAFOODS, INC.; ASTORIA PACIFIC
SEAFOODS, LLC; and DOES 30-60,**

Defendants.

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Plaintiffs Brand Little (“Little”) and Robin Burns (“Burns”) (collectively, “Plaintiffs”) and Defendants Pacific Seafood Procurement, LLC, Pacific Seafood Distribution, LLC, Pacific Seafood Processing, LLC, Pacific Seafood USA, LLC, Dulcich, Inc., Pacific Seafood – Eureka, LLC; Pacific Seafood – Charleston, LLC, Pacific Seafood – Warrenton, LLC, Pacific Seafood – Newport, LLC, Pacific Seafood – Brookings, LLC, Pacific Seafood – Westport, LLC, and Pacific Surimi – Newport LLC (collectively, “Pacific Seafood”), Blue River Seafood, Inc.; Safe Coast Seafoods, LLC; Safe Coast Seafoods Washington, LLC (collectively, “Safe Coast”), Ocean Gold Seafoods, Inc. (“Ocean Gold”), Nor-Cal Seafood, Inc. (“Nor-Cal”), Kevin Lee, American Seafood Exp, Inc. (“ASE”), California Shellfish Company, Inc. and Robert Bugatto Enterprises, Inc. (collectively, “Hallmark”), Alaska Ice Seafoods, Inc. and Long Fisheries, Inc.(collectively, “Fathom Seafood”), Caito Fisheries, Inc. (“Caito Fisheries, Inc.”), Caito Fisheries, LLC, and Southwind Foods, LLC (“Caito Fisheries, LLC/Southwind”), Fishermen’s Catch, Inc. (“Fishermen’s Catch”), Global Quality Foods, Inc. (“Global Quality Foods, Inc.”), Global Quality Seafood LLC (“Global Quality Seafood LLC”), Ocean King Fish Inc. (“Ocean King”), Bornstein Seafoods, Inc. and Astoria Pacific Seafoods, LLC, (collectively, “Bornstein”), jointly submit this Subsequent Joint Case Management Statement pursuant to Civil Local Rule 16-10. Pursuant to the Court’s direction during the February 28, 2025 Case Management Conference, the Parties provide herein a brief update on where things stand regarding certain matters, and incorporate by reference their Joint Case Management Statements (Dkt. 273 & Dkt. 344), filed February 21, 2025 and May 30, 2025, respectively, to the extent the statements contain background information concerning the facts and claims of the case that are useful to the Court.

1. Stipulations

The Court previously entered the Parties’ Stipulated Protective Order. Dkt. 62.

The Parties agreed to, and the Court entered, an ESI protocol for this action on May 15, 2025. Dkt. 335.

The Parties have yet to discuss a deposition protocol, but intend to meet and confer on the matter in short order.

1 The Parties will discuss whether any other Stipulations concerning discovery or case
2 management are necessary, as the case proceeds.

3 **2. Ocean King's Answer, Initial Disclosures and Discovery Responses**

4 On May 20, 2025, the Court denied Ocean King's Motion to Dismiss the Second
5 Amended Class Complaint and vacated the stay of discovery as to Ocean King. (Dkt. 339.) Per
6 agreement with Plaintiffs, Defendant Ocean King answered the Second Amended Complaint and
7 served its Initial Disclosures by June 12, 2025. Ocean King has also been served, and has
8 responded to, each set of Plaintiffs' All-Defendant requests for production of documents
9 ("RFPDs") and interrogatories that were previously served on the other defendants.

10 **3. Plaintiffs' Motion for Leave to File a Third Amended Complaint**

11 On August 29, 2025, the Court granted Plaintiffs' a motion for leave to file a Third
12 Amended Class Action Complaint, subject to the stipulated order between Plaintiffs and Pacific
13 Dream, Inc. Dkt. 390. Consistent with the stipulated order between Plaintiffs and Pacific Dream,
14 Inc. (Dkt. 391), Plaintiffs intend to file the Third Amended Complaint, adding only Da Yang
15 Seafood, Inc. and Great Ocean Seafood Inc. In the event that a settlement is not reached with
16 Pacific Dream, Inc., in the timeline set forth in the stipulated order, Plaintiffs intend to request
17 leave from the Court to amend the complaint to add Pacific Dream, Inc. as a defendant.

18 **4. Discovery**

19 **A. Discovery Served to Date**

- 20 • Plaintiffs served a first set of RFPD on all Defendants except Ocean King, on February
21 21, 2025, which was superseded by an amended first set of RFPDs, which Plaintiffs
22 served on March 11, 2025, after Plaintiffs' receipt of most Defendants' initial
disclosures.
- 23 • All Defendants jointly served a first set of requests for production of documents
24 ("RFPDs") on Plaintiffs on March 17, 2025.
- 25 • All Defendants jointly served a first set of interrogatories ("ROGs") on Plaintiffs on
26 March 19, 2025.
- 27 • Plaintiffs served a first set of interrogatories ("ROGs") on all Defendants, on March 21,
28 2025.

- 1 • Plaintiffs served on Ocean King the above described amended first set of RFPDs and
2 first set of interrogatories, on May 21, 2025.
- 3 • Plaintiffs served a second set of RFPDs and Interrogatories on all Defendants, on June
4 3, 2025.
- 5 • Plaintiffs served a third set of RFPDs on all Defendants, on August 25, 2025

6 B. Status of the Parties' Responses to Discovery

7 Since the May 30, 2025 CMC, Defendants Nor-Cal, Kevin Lee, and Ocean King have
8 served initial disclosures, meaning all parties have now served their initial disclosures.

9 C. Meet and Confer Discussions of Keywords for ESI Review and Production

10 Defendants and Plaintiffs have each exchanged drafts of keywords for each party's use in
11 reviewing and producing ESI in response to the parties' discovery requests, on July 1, 2025, and
12 August 14, 2025, respectively. Meet and confer is ongoing between the parties over an agreeable
13 set of keywords to be used in reviewing ESI.

14 D. Plaintiffs' Responses and Productions to Date

15 Plaintiffs timely served responses and objections to set 1 of the All-Defendant RFPDs and
16 ROGs. Following meet and confer with counsel for Pacific Seafood, who is conducting meet and
17 confer with Plaintiffs on behalf of all Defendants regarding Plaintiffs' responses to All-Defendant
18 discovery, Plaintiffs have served amended responses to certain set 1 RFPDs and ROGs. Where
19 applicable, Plaintiffs have addressed their responses to specific requests during meet and confer
20 with individual Defendant groups. Meet and confer concerning Plaintiffs' responses to
21 Defendants' discovery requests is ongoing.

22 On May 22, 2025, Plaintiffs made an initial production of documents in response to
23 Defendants' joint RFPDs.

24 On July 19, 2025, Plaintiffs produced to Defendants documents produced by third parties
25 in response to Plaintiffs' document subpoenas.

26 On August 29, 2025, Plaintiffs made a subsequent production of third-party documents
27 received in response to subpoenas served by Plaintiffs.
28

1 Plaintiffs expect to produce text messages and emails responsive to Defendants' set one
2 RFPDs on September 3, 2025.

3 Plaintiffs continue to collect and review emails, text messages, and other documents, and
4 will continue to make rolling productions of responsive documents.

5 E. Defendants' Responses and Productions to Date

6 Most Defendant groups have timely served responses and objections to Set One of
7 Plaintiffs' RFPDs and ROGs. Following numerous meet-and-confers with Plaintiffs' counsel,
8 certain Defendant groups have served amended responses to certain Set One RFPDs and ROGs.
9 Meet-and-confers regarding Defendants' responses to Plaintiffs' requests are ongoing.

10 The focus of meet and confer discussions has been the productions of Defendants'
11 communications responsive to RFPD 26 (communications between Defendants' custodians, on
12 the one hand, and other ex vessel buyers on the other) and RFPD 33 (communications between
13 Defendants' custodians, on the one hand, and crabbers on the other), with Plaintiffs requesting
14 that Defendants prioritize the production of text messages. Plaintiffs have provided all Defendants
15 with lists of buyer contacts, and crabbers, including phone numbers and emails, where known, to
16 aid Defendants' collection of responsive communications. Plaintiffs have continued to circulate
17 updated contact lists as discovery progresses. Plaintiffs have instructed Defendants that the lists
18 are intended as a starting place for collection of texts and emails, and should not be used to limit
19 the collection of responsive communications with buyers and crabbers not included in either list.
20 Plaintiffs and Defendants continue to meet and confer concerning these, and Plaintiffs' other,
21 RFPDs and ROGs.

22 Plaintiffs assert that certain issues have arisen with regard to the format of production of
23 text messages by certain Defendants; and the parties are currently meeting and conferring with
24 the goal of resolving such issues. In the event that the Court's intervention is desired, the parties
25 will request it.

26 Overall, in response to Plaintiffs' RFPDs, Defendants have collectively produced almost
27 100,000 documents (more than 435,000 pages) to Plaintiffs. Defendants have also undertaken
28 significant efforts (and expense) to collect, process, and review further materials that may be

1 responsive to Plaintiffs' discovery requests. The status of each Defendant group's responses to
2 Plaintiffs' discovery requests and productions made to date, are provided below:

3 **Pacific Seafood**

4 Pacific Seafood served timely responses to Plaintiffs' discovery requests, and has served
5 amended responses pursuant to the extensive meet and confer it has had with Plaintiffs
6 concerning Plaintiffs' discovery requests. Pacific Seafood's counsel has attended at least six
7 videoconference meet-and-confers with Plaintiffs' counsel, over 10 collective hours, to discuss
8 Pacific Seafood's responses to Plaintiffs' requests and Plaintiffs' responses to Defendants' joint
9 requests.

10 To date, Pacific Seafood has collected, reviewed, and produced at least 67,952 documents
11 (336,215 pages) responsive to at least 29 of Plaintiffs' Requests for Production of Documents, not
12 including tens of thousands of other documents that Pacific Seafood has produced that Pacific
13 Seafood received from third parties in response to subpoenas. Pacific Seafood has made
14 productions in response to Plaintiffs' Requests for Production of Documents on at least March 7,
15 June 2, July 11, July 15, July 23, August 1, August 8, and August 25, 2025. These productions
16 include, among other categories of documents, emails and text messages responsive to Plaintiffs'
17 RFPDs 1–12, 14, 15, 17, 23, 24, 26, 27, 29, 30, 33, 35, 40, 41, and 44–47. Pacific Seafood has
18 also undertaken significant efforts (and expense) to collect, process, and review further materials
19 that may be responsive to Plaintiffs' requests, including collecting and processing (so far) over
20 2.7 million documents, for purposes of further reviewing and narrowing. Pacific Seafood's
21 gathering and review of responsive documents, including additional text messages and emails
22 from its custodians, is ongoing.

23 **Safe Coast**

24 Safe Coast served timely responses to Plaintiffs' discovery requests, and has served
25 amended responses since then.

26 Safe Coast produced communications of certain of its custodians on July 11, 2025.

27 **Bornstein**

28 Bornstein served timely objections and responses to Plaintiffs' discovery requests and has

1 since provided amended responses. Counsel for Bornstein has engaged in multiple meet-and-
2 confer discussions and has exchanged extensive written correspondence with Plaintiffs' counsel
3 in a good faith effort to address and resolve issues related to Bornstein's responses and objections
4 to Plaintiffs' discovery requests.

5 Bornstein is in the process of collecting, reviewing, and producing documents responsive
6 to Plaintiffs' RPFs, including Requests Nos. 26 and 33. A production of documents responsive to
7 these requests, to the extent identified thus far, will be made by September 5, 2025. Bornstein
8 continues to devote substantial efforts and incur significant expense in the collection, processing,
9 and review of potentially responsive materials. Bornstein's document collection and review
10 process remains ongoing.

11 **Hallmark**

12 Hallmark timely served responses to Plaintiffs' discovery requests, and has served
13 amended responses since. Hallmark is currently working on additional amended responses and
14 will be serving them soon.

15 Hallmark has collected tens of thousands of text messages and emails potentially
16 responsive to Plaintiffs' document requests. Hallmark is working through additional issues with
17 the collection, and will be collecting additional emails and text messages as soon as possible.
18 Hallmark has started reviewing the documents it has collected in order to produce responsive
19 documents. Hallmark believes it will be able to begin producing text messages in response to
20 Plaintiffs' document request within the next two weeks, with email messages following shortly
21 thereafter.

22 **Fathom**

23 Fathom served timely responses to Plaintiffs' discovery requests and has served amended
24 responses since. Fathom has also met and conferred with Plaintiffs on several occasions.

25 Fathom began producing text messages on August 15, 2025, continues to gather
26 responsive documents, and will continue producing documents on a rolling basis.

27 **Ocean Gold**

28 Ocean Gold served timely responses to Plaintiffs' discovery requests, and has served

1 amended responses pursuant to the extensive correspondence and conferrals it has had with
2 Plaintiffs concerning Plaintiffs' discovery requests.

3 Ocean Gold has produced 16,841 documents (roughly 61,700 pages) responsive to
4 Plaintiffs' RFPDs, continues to gather responsive documents, and will make additional
5 productions on a rolling basis. Ocean Gold's initial productions include documents, emails, and
6 text messages responsive to Plaintiffs' RFPD Nos. 8–12, 14, 15, 17, 23, 26–28, 33, 35, 36–40, and
7 44–47. Ocean Gold has also undertaken significant efforts and expense to collect, process, and
8 review further materials that may be responsive to Plaintiffs' requests, including collecting and
9 processing an additional 120,000 documents, for purposes of further reviewing and narrowing
10 consistent with Ocean Gold's objections and responses to Plaintiffs' requests. Ocean Gold's
11 gathering and review of responsive documents, including additional text messages and emails
12 from its custodians, is ongoing.

13 **Nor-Cal & Kevin Lee**

14 Kevin Lee and Nor-Cal served untimely written responses to Plaintiffs' set 1 discovery
15 requests, and thus waived any objections thereto. Kevin Lee and Nor-Cal have also failed to
16 timely respond to Plaintiffs' set 2 discovery requests, which were due on July 3 (RFPDs) and July
17 7 (Rogs), again waiving all objections thereto.

18 Kevin Lee produced text messages on June 2 and 3, July 1, and August 11, 2025. Nor-Cal
19 has not yet produced any responsive documents from custodians other than Kevin Lee. Both
20 Kevin Lee and Nor-Cal indicate they continue to gather responsive documents, and will produce
21 on a rolling basis. Efforts to meet and confer with counsel for Nor-Cal and Kevin Lee have been
22 difficult, as a result of counsel's delays in responding to Plaintiffs' outreach and challenges
23 getting meetings on calendar.

24 **ASE**

25 ASE served timely responses to Plaintiffs' discovery requests.

26 ASE produced text messages on July 31, 2025, and continue to gather responsive
27 documents, and will produce on a rolling basis.

Fishermen's Catch

Fishermen's Catch served timely responses to Plaintiffs' discovery requests, and has served amended responses since.

Fishermen's Catch has not yet produced documents in response to Plaintiffs' discovery.

Ocean King

Ocean King served timely responses to Plaintiffs discovery requests.

Ocean King has not yet produced documents in response to Plaintiffs' discovery requests.

Ocean King was served Plaintiffs' requests later than the other Defendants, and has engaged in meet and confer with Plaintiffs and is in the process of gathering and reviewing responsive documents.

Global Quality Foods

Global Quality Foods served timely responses to Plaintiffs discovery requests.

Global Quality Foods produced text messages on August 14, 2025, and continues to gather responsive documents, and will produce on a rolling basis.

Global Quality Seafoods

Global Quality Seafood served timely responses to Plaintiffs discovery requests.

Global Quality Seafood produced text messages on July 16 and August 3, and emails and transactional data on August 4, 2025, and continues to gather responsive documents, and will produce on a rolling basis.

Southwind & Caito Fisheries LLC

Southwind served timely responses to Plaintiffs discovery requests.

After producing more than 14,000 documents in response to Plaintiffs' subpoena, Southwind has produced additional documents on April 10, and June 13, 2025, which span several thousand pages, and continues to gather responsive documents, and will produce on a rolling basis.

By the date of the Case Management Conference, the Southwind Defendants anticipate producing an additional several thousand emails related to the asset purchase transaction entered with Caito Fisheries, Inc. The Southwind Defendants have prioritized the production of materials

1 related to the asset purchase transaction and request that the Court permit the Southwind
2 Defendants to file an early motion for summary judgment on the issue of successor liability.

3 The Southwind Defendants request that the Court permit service of individualized
4 discovery requests or, at very least, permit individualized discovery into the discrete issue of the
5 Southwind Defendants' purported successor liability.¹

6 **Caito Fisheries Inc.**

7 Caito Fisheries Inc. served timely responses to Plaintiffs' discovery requests, and has
8 served amended responses since.

9 Caito Fisheries Inc. has not yet produced documents in response to Plaintiffs' discovery
10 requests. Caito Fisheries Inc. has gathered and reviewed numerous documents (including text
11 messages as Plaintiffs have asked to be prioritized) and is working to convert those documents
12 into a production format that is compliant with the ESI protocol.

13 F. Third party discovery

14 Pursuant to the Court's order granting Plaintiffs leave to serve limited discovery in
15 advance of their filing the First Amended Complaint, (Dkt. 61), Plaintiffs served document
16 subpoenas, in June 2024, on the departments of fish and wildlife of Washington, Oregon, and
17 California, as well as on now Defendants Bornstein, Hallmark, ASE, Safe Coast, and Nor-Cal.
18 Plaintiffs produced to all Defendants documents obtained via these subpoenas and Southwind's
19

21 ¹ Plaintiffs oppose the Southwind Defendants' requests. Plaintiffs' theory of liability as to the
22 Southwind Defendants is not dependent on successor liability, as Plaintiffs allege, and have
23 already obtained evidence of, the Southwind Defendants direct participation in the price-fixing
24 conspiracy that occurred after what the Southwind Defendants describe as the acquisition of
25 assets from Caito Fisheries, Inc. The Southwind Defendants are aware of this evidence. (Note,
26 contrary to Plaintiffs' representation, the Southwind Defendants are not aware of any such
27 evidence of liability; even assuming ad arguendo such evidence exists, this does not impact the
28 Southwind Defendants' entitlement to file the motion.) Moreover, because antitrust liability is
joint and several, regardless of when a defendant joined the cartel, and Plaintiffs have evidence of
the Southwind Defendants' participation, the question of successor liability is not determinative.
Expediting summary judgment on the issue of successor liability would unnecessarily disrupt the
case schedule and open the door to serial motions for summary judgment on tangential issues,
while not impacting the Southwind Defendants' position as defendants in the case.

1 response to Plaintiffs' subpoena for documents served on March 29, 2023.²

2 On March 4, 2025, after the Court's order lifting the stay on discovery (Dkt. 259), the
3 Parties served subpoenas on a number of third-party Dungeness crab buyers, the departments of
4 fish and wildlife of California, Oregon, and Washington, and certain other third parties.
5 Responses received by Plaintiffs to these subpoenas have been produced by Plaintiffs to
6 Defendants on May 22, and on July 19, 2025. Pacific Seafood has also produced to Plaintiffs and
7 other Defendants at least 60,495 documents it has received in response to third party subpoenas it
8 issued.

9 On May 20, 2025, Pacific Seafood issued a subpoena for documents to Ozzie Gregorio
10 and Triple G Seafood ("Gregorio").³ Gregorio has objected to the subpoena, and counsel for
11 Pacific Seafood and Gregorio are currently meeting and conferring regarding Gregorio's
12 objections and responses. Should the Court's intervention be needed, the parties will request it.

13 Plaintiffs have filed motions to compel compliance with regard to certain third-party
14 subpoena recipients. Dkt. 383-85. Plaintiffs are engaged in meet and confer discussions with
15 multiple other subpoena recipients regarding their responses and productions.

16 **5. Settlement and ADR**

17 Pursuant to stipulation, the Court has referred Plaintiffs and certain Defendants to
18 settlement conferences before Magistrate Judge Spero. The status of such referrals is as follows:

- 19 • Safe Coast: Plaintiffs and Safe Coast held a settlement conference before Magistrate
20 Spero on May 20, 2025, and a further conference was set for August 19, 2025.

21 Thereafter, at Safe Coast's request, a stipulation was filed on August 12, 2025 and the
22 settlement conference was taken off calendar.

23
24
25
26 ² In March of 2023, Plaintiffs served third party subpoenas on certain parties, in response to
27 which only Southwind (then a third party) produced documents in response before the Court's
28 order granting Pacific Seafood's motion to stay discovery (Dkt. 38).

³ The May 20, 2025 subpoena superseded a subpoena issued on April 11, 2025. Plaintiffs also
issued a nearly identical subpoena on April 23, 2025.

- 1 • ASE: Plaintiffs and ASE were scheduled to have a settlement conference before Judge
2 Spero on April 29, 2025. Subsequent thereto the parties stipulated to the settlement
3 conference being adjourned. A further settlement scheduling conference was set for
4 August 26, 2025. At this conference, Magistrate Judge Spero ordered ASE to provide
5 certain documents to Plaintiffs and to respond to Plaintiffs' demand, and set a further
6 scheduling conference for October 28, 2025.
- 7 • Fathom: Plaintiffs and Fathom were scheduled to have a settlement conference before
8 Judge Spero on May 15, 2025. Fathom subsequently requested that the settlement
9 conference be adjourned, and Plaintiffs stipulated to the request. On May 15, 2025,
10 Judge Spero held a scheduling conference for a further settlement conference, at which
11 the settlement conference between Fathom and Plaintiffs was reset for November 13,
12 2025.
- 13 • Fishermen's Catch: A settlement conference was scheduled for August 13, 2025. The
14 Parties stipulated to the adjournment of this conference, and Magistrate Judge Spero
15 therefore converted this event into a scheduling conference, at which time a further
16 scheduling conference was set for November 12, 2025. Plaintiffs and Fishermen's
17 Catch will revisit whether to schedule a settlement conference at that time.
- 18 • Global Quality: A scheduling conference was held between Plaintiffs, Global Quality
19 Foods, and Global Quality Seafoods on June 17, 2025, at which time a settlement
20 conference was scheduled for October 16, 2025.
- 21 • Pacific Dream: A settlement conference between Plaintiffs and Pacific Dream, Inc. has
22 been tentatively scheduled for September 16, 2025.

23 There are no other active settlement discussions between Plaintiffs and any other
24 Defendant.

25 6. Scheduling

26 On March 3, 2025, the Court set the case schedule for this action through a hearing on
27 class certification and *Daubert* motions, provided below for convenience of the Court:
28

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- May 30, 2025: further case management conference;
- August 29, 2025: further case management conference;
- December 5, 2025: further case management conference;
- January 12, 2026: last day to move to join parties or amend pleadings;
- March 6, 2026: further case management conference;
- June 5, 2026: further case management conference;
- September 4, 2026: further case management conference;
- November 9, 2026: fact discovery closes;
- December 4, 2026: further case management conference;
- December 7, 2026: last day to file joint discovery letter briefs relating to fact discovery;
- February 8, 2027: last day to exchange initial expert reports;
- March 5, 2027: further case management conference;
- May 10, 2027: last day to exchange rebuttal expert reports;
- June 4, 2027: further case management conference
- June 21, 2027: last day to exchange reply expert reports;
- July 9, 2027: close of expert discovery;
- August 23, 2027: last day for Plaintiffs to file motion for class certification and all parties to file *Daubert* motions;
- September 3, 2027: further case management conference;
- October 4, 2027: last day for Defendants to file opposition to class certification and all parties to file oppositions to *Daubert* motions;
- November 1, 2027: last day to file replies in support of class certification and *Daubert* motions;
- December 17, 2027: hearing on class certification and *Daubert* motions.

The Parties ask that the deadline of March 9, 2026 for the substantial completion of rolling document production be added to the current case schedule.

At this time, the Parties do not believe any other modifications are necessary. Given various issues relating to discovery, including the current pace of production, Plaintiffs note that the schedule may ultimately need to be modified and will promptly raise any such issues if and when they arise.

Dated: August 29, 2025

GROSS KLEIN PC

By: /s/ Stuart G. Gross

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DATED: August 29, 2025

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DATED: August 29, 2025

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8 **ATTESTATION UNDER L.R. 5-1(i)(3)**

9 Pursuant to Civil Local Rule 5-1(i)(3), I attest under the penalty of perjury that the above
10 signatories authorized the use of an electronic signature and concurred in the filing of this
11 document.

13 Dated: August 29, 2025

by: /s/ Stuart G. Gross
STUART G. GROSS

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